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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,698	09/29/2000	Mark Linus Bauman	ROC920000249	9583

7590

03/15/2004

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EXAMINER

NGUYEN, VAN H

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 03/15/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

2

Office Action Summary

Application No.

09/675,698

Applicant(s)

BAUMAN ET AL.

Examiner

VAN H NGUYEN

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/18/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 18-35 and 39 is/are pending in the application.
- 4a) Of the above claim(s) 39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 18-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to *Response to Restriction Requirement* filed December 18, 2003.
2. Applicant's election of group I (claims 1-13 and 18-35), filed December 18, 2003 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
3. Claim 39 depends on claim 36. Claim 36 has been canceled in amendment A (filed December 18, 2003). Applicant is required to cancel claim 39 in response to this office action.
4. Claims 1-13, 18-35, and 39 are presented for examination, and claim 39 is withdrawn from consideration.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-13 and 18-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Fowler et al.** (U.S. 5,551,037).

7. **As to claim 1**, Fowler teaches the invention substantially as claimed including a method for tracking at least one process using a socket object (*col.9, lines 1-10*), where the at least one process is utilized to execute an application program (*col.3, lines 39-46*), the method comprising:

- creating a process list for the socket object, where the process list contains a process identifier for a first process using the socket object (*col.3, line 31-col.4, line 19 and fig.2*); and

Fowler does not explicitly teach “updating, if a second process is using the socket object, the process list to include the process identifier for the second process.”

Fowler, however, teaches “*graph 201 is dynamically updated*” (*col.5, lines 5-26 and col.9, lines 44-67*).

It would have been obvious to apply the teaching of Fowler for “*updating, if a second process is using the socket object, the process list to include the process identifier for the second process*” in order to provide a means for efficiently controlling operation of cooperating processes.

8. **As to claim 2**, Fowler teaches the process list is displayed on a user interface in response to a user interface command entered by a user (*col.3, lines 20-28*).

9. **As to claim 3**, Fowler teaches adding the process identifier of the second process to the process list if the second process is to use the socket object (*col.5, lines 5-26 and col.9, lines 44-67*).

10. **As to claim 4**, Fowler teaches the second process is to use the socket object if a socket descriptor created for the socket object is passed from the first process to the second process (*col.9, lines 1-10*).

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11. **As to claim 5**, Fowler teaches removing the process identifier of at least one of the first process and second process from the process list if the at least one of the first process and second process no longer uses the socket object (*col.5, lines 8-53*).
12. **As to claim 6**, Fowler teaches the at least one of the first process and second process no longer uses the socket object if a socket descriptor created for the socket object is removed from the at least one of the first process and second process (*col.5, lines 8-53*).
13. **As to claim 7**, Fowler teaches removing the process identifier of at least one of the first process and the second process from the process list if the at least one of the first process and second process expires (*col.5, lines 20-21 and col.8, lines 36-49*).
14. **As to claim 8**, Fowler teaches the first process comprises a Sockets Application Program Interface function utilized to create the socket object (*fig.4*).
15. **As to claim 9**, Fowler teaches the Sockets API function comprises a socket () function (*col.4, lines 1-19*).
16. **As to claim 10**, Fowler teaches the creating and updating are performed by an operating system after a computer executes a sockets support program (*col.5, line 31-col.4, line 19*).
17. **As to claim 11**, Fowler teaches the first process and the second process are provided in the same computer system (*col.3, lines 6-19*).
18. **As to claim 12**, Fowler teaches the first process and the second process are provided in different computer systems (*col.3, lines 6-19*).
19. **As to claim 13**, Fowler teaches the process identifier comprises at least one of a process name, a user name associated with the process name and a process number (*col.3, lines 31-54 and fig. 2*).

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20. **As to claim 18**, the rejection of claim 1 above is incorporated herein in full. Claim 18, however, further recites a memory and a processor.

Fowler teaches a memory and a processor (*col.3, lines 6-19 and fig.1*).

21. **As to claim 19**, Fowler teaches a network interface for coupling the socket object with a remote device (*figs.4 and 5*).

22. **As to claim 20**, Fowler teaches a display device, coupled to the processor, for displaying the process list when the processor retrieves and executes a user interface, program from the memory (*fig.1*).

23. **As to claim 21**, Fowler teaches the operating system comprises UNIX (*col.4, lines 1-19*).

24. **As to claim 22**, Fowler teaches the network interface couples the first process to the second process (*figs.4 and 5*).

25. **As to claims 23-35**, note the rejection of claims 1-13 above. Claims 23-35 are the same as claims 1-13, except claims 23-35 are computer readable medium claims and claims 1-13 are method claims.

Conclusion

26. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Zargham et al. (U.S. 6470398 B1) teaches "the remote process or the agent managing the remote connection keeps track of which interprocess resources (or FDs) are of interest to a

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given user process, and which operations are of interest for a given resource, and which CPUs are interested in a given resource/operation.”

- Fishler et al. (U.S. 6370583) teaches “Method and apparatus for portraying a cluster of computer systems as having a single internet protocol image.”

- Meier et al. (U.S. 6470398) teaches “Dynamic connection to a remote tool in a distributed processing system environment used for debugging.”

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.


Any response to this action should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

or fax to:

(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7240 (for informal or draft communications)

VHN
March 04, 2004


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